

REMARKS

In the Office Action, the Examiner acknowledges that Padovani does not specifically disclose that the wireless unit establishes with the second set of base stations after a first set of base stations is lost or dropped. For that, the Examiner points to Chheda as disclosing a mobile unit establishing the connection to a second set of base stations after a first set of base stations is dropped based on PSMM. The Examiner concludes that it would have been obvious to one skilled in the art at the time that the invention was made to have Padovani modified by Chheda to connect a mobile station to a new set of base stations in order to prevent a disrupted call. Chheda discloses a manner of determining what base stations should be in communication with a wireless unit to reduce dropped call probabilities, but similar to Padovani, Chheda does not involve what happens after communications is lost with the first set of base stations. The claimed invention does, and the claimed invention has been amended to make this clear although it is respectfully submitted that previous claim language similarly claimed this feature.

With particular reference to claim 1, the claimed invention calls for “after having lost communication between said wireless unit and a first set of base station(s) servicing said call, changing from said first set of base station(s) to a second set of base station(s)..., to recover said call; and communicating with said second set of serving base station(s) to continue said call.” Additionally, the claimed step of changing is “based on information known to be at both the wireless unit and the wireless communications system before said communications between said wireless unit and said first set of serving base station(s) is lost such that said second set of base station(s) is established both at said wireless communications system and said wireless unit without requiring communication between said first set of serving base station(s) and said wireless unit.” Independent claims 6, 11 and 12 contain analogous limitations.

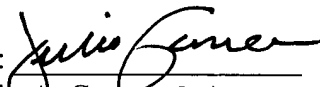
None of the cited references alone or in combination discloses this claimed language. As taught by Padovani and Chheda, after a determination is made that a

handoff to a second set of base station(s) is desired, the wireless unit continues communicating with the first set of base station(s) to complete the hand-off to the second set of base station(s). According to the cited references, a second set of base station(s) will not be established to recover the call after communications is lost with a first set of base station(s). If communications is lost before a hand-off to a second set of base station(s) is complete, then the call is dropped. There will be no hand-off to a second set of base station(s) to continue the call. If anything, Chheda teaches away from the claimed invention. Chheda involves a determination of whether to be connected to a particular base station based upon the relative strengths of pilot signals received (and measured) by the wireless mobile unit. Chheda teaches that once a determination has been made as to whether to add or drop a base station from the active set, the network sends a HDM to the mobile unit directing the mobile unit to add or remove base station(s) from its active set. After receipt of the HDM, the mobile unit adds or removes the base station from the active set and responds with a hand-off completion message (HCM). The mobile unit will now be in communication with the base station(s) in the new active set. Col. 8, line 37 – col. 9, line 15. Accordingly, Chheda teaches that once a determination is made as to what the active set should look like, communication with the network (through a current active set) is still required before a hand-off can be made to base stations in a new active set.

Accordingly, applicants respectfully request reconsideration and allowance. It is respectfully submitted that the scope of the subject matter of the claimed invention has not been materially altered. The amendments were made for clarification. The amendments to the current claims should be entered, and no new search seems warranted. If any fees inadvertently omitted or any improper payment of fees, the Commissioner is hereby authorized to charge or credit Lucent Technologies Deposit Account No. 12-2325 to correct the error now or during the pendency of this application.

If the Examiner has any questions or feels that a telephone conversation would be helpful, please contact Julio Garceran at (973) 386-2286.

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Date: 2/13/04